

REMARKS

Claims 1-3, 5, 6, 15, and 16 are now pending in this application for which applicants seek reconsideration.

Amendment

Claims 4, 7-14, 17, and 18 have been canceled, and independent claims 1, 15, and 16 have been amended to incorporate the features of claim 4. No new matter has been introduced.

Art Rejection

Claims 1-4 and 6-18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Misawa (USP 6,771,382) in view of Kim (USP 6,268,937). Claim 5 was rejected under § 103(a) as unpatentable over Misawa in view of Kim and Morigami (USP 6,057,934). Applicants traverse these rejections at least to the extent that these references would not have disclosed or taught the features set forth in claim 4, which is now incorporated in each of remaining independent claims 1, 15, and 16.

Specifically, each of independent claims 1, 15, and 16 calls for adding white data to the input image data so that the image represented by the image data has a predetermined image size. When the facsimile transmission is selected, the data to be transmitted is produced after the white data is added to the image data, to alter the size of the image represented by the input image data to the predetermined image size if the image represented by the input image data is smaller than the predetermined image size. When the email transmission is selected, the data to be transmitted is sent without adding the white data to the input image data. With the claimed arrangement, it is possible to transmit the image data in a proper size when the facsimile transmission is selected, while preventing unnecessary white data from being added when the electronic mail transmission is selected. Accordingly, in an image processing apparatus performing both the facsimile transmission and the electronic mail transmission, it is possible to transmit the image data in a proper size regardless of the transmission selection.

Misawa does not disclose or teach altering the size of the image to a predetermined image size for a facsimile transmission. In realizing this shortcoming, the examiner relied upon Kim for the proposition that adding white data to an image for a facsimile transmission would have been obvious. Applicants note that Kim is directed solely to a facsimile transmission, and does not relate to adding or not adding white data, based on the transmission selection.

Accordingly, even if the combination were deemed proper for argument's sake, applicants submit that the combination, at best, would merely have suggested adding white data for either case of the facsimile transmission and the electronic mail transmission. Morigami would not have alleviated the shortcomings of the Misawa and Kim combination.

Conclusion

Applicants submit that the pending claims patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

20 DECEMBER 2007

DATE

/Lyle Kimms 122007/

LYLE KIMMS

REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

P.O. Box 826

ASHBURN, VA 20146-0826

703-726-6020 (PHONE)

703-726-6024 (FAX)